

DEC 28 '07 -12 00 PM

SURFACE TRANSPORTATION BOARD

OF COUNSEL  
URBAN A LESTER

ALVORD AND ALVORD  
ATTORNEYS AT LAW  
1050 SEVENTEENTH STREET, N.W.

SUITE 301  
WASHINGTON, D.C.

20036

(202) 393-2266

FAX (202) 393-2156

E-MAIL alvordlaw@aol.com

ELIAS C. ALVORD (1942)  
ELLSWORTH C. ALVORD (1964)

December 28, 2007

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
395 "E" Street, S.W.  
Washington, D.C. 20423-0001

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Notice of Termination of Lease, dated as of December 27, 2007, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Lease previously filed with the Board under Recordation Number 23304.

The name and address of the party to the enclosed document are:

Lessor: Wells Fargo Equipment Finance, Inc.  
733 Marquette Avenue  
Minneapolis, Minnesota 55479

[Lessee: J. R. Simplot Company  
One Capital Center  
999 Main Street, Suite 1300  
Boise, Idaho 83702]

Mr. Vernon A. Williams  
December 28, 2007  
Page 2

A description of the railroad equipment covered by the enclosed document is:

30 insulated tank cars: JRSX 1100 - JRSX 1129.

A short summary of the document to appear in the index is:

Notice of Termination of Lease.

Also enclosed is a check in the amount of \$35.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Alvord', with a long horizontal flourish extending to the right.

Robert W. Alvord

RWA/sem  
Enclosures

DEC 28 '07

-12 0 0 PM

Wells Fargo Equipment Finance, Inc.  
733 Marquette Avenue, Suite 700  
Minneapolis, MN 55402WELLS  
FARGO

## SURFACE TRANSPORTATION BOARD

NOTICE OF TERMINATION OF LEASE

The undersigned, WELLS FARGO EQUIPMENT FINANCE, INC, as successor in interest to First Security Leasing Company (the "Lessor"), publishes this notice that Lease Schedule 022-3004318, dated as of December 27, 2000, by and between Lessor and J.R. Simplot Company (the "Lessee"), as incorporating the terms and conditions of that to Master Equipment Lease Agreement by and between Lessor and Lessee (the "Master Agreement") dated as of December 20, 2000, as subsequently amended or modified (the Schedule, as incorporating the terms and conditions of Master Agreement, the "Lease"), has been terminated.

The Lease, or a memorandum thereof, was originally filed with the Surface Transportation Board on December 29, 2000 under Recordation Number 23304. The Lease and all amendments and supplements thereto shall be considered terminated of record as to all railcars subject thereto.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed by its officer thereunto duly authorized this 27th day of December, 2007.

WELLS FARGO EQUIPMENT  
FINANCE, INC., Lessor

By: A. Valera

Name: Arianna Valera

Title: Account Services Representative

STATE OF Minnesota )

) ss.

COUNTY OF Hennepin )

On this 27th day of December, 2007, before me appeared Arianna Valera, to me personally known, who, being duly sworn did say that (s)he is the ASR of WELLS FARGO EQUIPMENT FINANCE, INC, and that said instrument was signed on behalf said corporation by authority of its board of directors and (s)he acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Renee Anne Bakos  
NOTARY PUBLIC

My Commission Expires: 01/31/2012



**EXHIBIT A**

**TO LEASE SCHEDULE TO MASTER EQUIPMENT LEASE AGREEMENT**

**Thirty (30) Union Tank Car Company III A100WI T104 14,700 gallon insulated Tank Cars, manufactured in 1993, with the following Car Numbers:**

|          |          |
|----------|----------|
| JRSX1100 | JRSX1115 |
| JRSX1101 | JRSX1116 |
| JRSX1102 | JRSX1117 |
| JRSX1103 | JRSX1118 |
| JRSX1104 | JRSX1119 |
| JRSX1105 | JRSX1120 |
| JRSX1106 | JRSX1121 |
| JRSX1107 | JRSX1122 |
| JRSX1108 | JRSX1123 |
| JRSX1109 | JRSX1124 |
| JRSX1110 | JRSX1125 |
| JRSX1111 | JRSX1126 |
| JRSX1112 | JRSX1127 |
| JRSX1113 | JRSX1128 |
| JRSX1114 | JRSX1129 |

### Bill of Sale

For Valuable Consideration, Wells Fargo Equipment Finance, Inc., a Minnesota corporation (the "Seller"), hereby sells to:

**Siemens Financial Services, Inc.**

("the Buyer"), all of the property (the "Goods") described as follows:

#### See Attached Schedule A

The Seller warrants that it is the owner of the Goods free and clear of any liens and security interests created by the Seller. Date of sale 12/27/07. Sale price \$539,634.00

Except as set forth in the preceding paragraph, the Seller makes no representation or warranty of any kind, including but not limited to any representation or warranty regarding the existence, condition or location of the Goods (whether or not any Exhibit A indicates that the Goods are located in any particular place) and any implied or express warranty of merchantability or fitness for a particular purpose. *All of the Goods are sold AS IS and WHERE IS.*

IN NO EVENT SHALL THE SELLER BE LIABLE FOR ANY INCIDENTAL OR CONSEQUENTIAL DAMAGES OF ANY KIND, WHETHER FOR BREACH OF ANY WARRANTY, FOR BREACH OR REPUDIATION OF ANY OTHER TERM OR CONDITION OF SALE, FOR NEGLIGENCE, ON THE BASIS OF STRICT LIABILITY, OR OTHERWISE.

By accepting this Bill of Sale, the Buyer agrees that it shall pay all sales, excise, use or other taxes applicable to the sale of goods hereunder (other than taxes based on the net income of the Seller)

IN WITNESS WHEREOF, the Seller has executed this Bill of Sale as of the  
27th Day of December, 2007

**WELLS FARGO EQUIPMENT FINANCE, INC.**

By:



Printed Name: Arianna Valena

Title: Account Services Representative

## **EXHIBIT A**

### **TO LEASE SCHEDULE TO MASTER EQUIPMENT LEASE AGREEMENT**

Thirty (30) Union Tank Car Company III A100WI T104 14,700 gallon insulated Tank Cars, manufactured in 1993, with the following Car Numbers:

|          |          |
|----------|----------|
| JRSX1100 | JRSX1115 |
| JRSX1101 | JRSX1116 |
| JRSX1102 | JRSX1117 |
| JRSX1103 | JRSX1118 |
| JRSX1104 | JRSX1119 |
| JRSX1105 | JRSX1120 |
| JRSX1106 | JRSX1121 |
| JRSX1107 | JRSX1122 |
| JRSX1108 | JRSX1123 |
| JRSX1109 | JRSX1124 |
| JRSX1110 | JRSX1125 |
| JRSX1111 | JRSX1126 |
| JRSX1112 | JRSX1127 |
| JRSX1113 | JRSX1128 |
| JRSX1114 | JRSX1129 |

CERTIFICATION

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

12/28/07



\_\_\_\_\_  
Robert W. Alvord